

**REMARKS**

1. Examiner has rejected the claims 1-6 as being indefinite under 35 USC 112, 2<sup>nd</sup> para. In particular, Examiner states that the phrase "to complete a service order comprising at least the following information..." does not make grammatical sense.

With respect, it is submitted that claim 1 is gramatically correct. The verb which Examiner seeks is the word "prompting". The phrase reads as follows:

"(b) prompting a service provider, at the direction of the client organization, to complete a service order comprising at least the following information: ..."

The step of the method described herein carried out when the client organization prompts the service provider to complete a service order. The word "comprising" modifies the noun "service order". The service order comprises certain information which is set out in the claim language.

2. The Examiner has rejected the claims as having been anticipated by the Whitmyer and Metzler references. The Examiner construed the claims as not being limited by the characterization "controlled by the client".

Claim 1 has been further amended to more clearly specify that it is a method controlled by the client. Although that was implicitly the case prior to this amendment as each step of the method was a step to be taken by the client, who held the power of approval or disapproval, it is submitted that the current amendment makes that distinction more clear. Written description support for the claim amendment may be found in paragraphs 0028 and 0029 of the description.

As stated in Applicant's previous communications, the Whitmyer and Metzler references teach methods which are controlled by the service provider (lawyer). The present invention is directed solely at methods controlled by the client. It is the client who requests a lawyer to complete

a service order. It is the client who reviews the service order. It is the client who approves or disapproves the service order and notifies the lawyer.

3. Examiner has cautioned the Applicant that "differentiating between people" may result in a 35 USC 101 rejection.

With respect, it is submitted that a rejection under para. 101 is clearly inappropriate. The current claims are directed to a method comprising a series of steps. It does not encompass a human being. The end result of the method is not a human being. It is simply a method which is implemented by human beings. As such it is clearly statutory subject matter.

### CONCLUSION

The Examiner is respectfully requested to enter the within amendment. It is submitted that the amendment places the claims in condition for allowance and allowance thereof is respectfully requested.

Respectfully submitted,

Richard Fraser et al.

By:

  
Edward Yoo (Reg. No. 41,435)

### CORRESPONDENCE ADDRESS:

Customer No. 22828

Edward Yoo  
780.917.5231 (ph)  
780.421.7951 (fax)  
yoot@bennettjones.ca